

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IRONSHORE SPECIALTY INSURANCE
COMPANY,

Plaintiff,

vs.
FLETCHER ROOFING AND SIDING, INC.,
JOSE GOMEZ-DELGADO, JASON E.
MITCHELL and SHANTEL MITCHELL, and
DOES 1 through 10,

Defendants.

CASE NO: 3:20-cv-00006-RCJ-CLB

**ORDER RE DISCOVERY DEADLINES
[FIRST REQUEST]**

Plaintiff, Ironshore Specialty Insurance Company (“Ironshore” or “Plaintiff”) and Defendants Fletcher Roofing and Siding, Inc., (“Fletcher”), Jose Gomez-Delgado (“Gomez”), Jason E. Mitchell and Shantel Mitchell (“Mitchells”) (Collectively, Fletcher, Gomez and Mitchells may be referred to as “Defendants”, and collectively Defendants and Ironshore may be referred to as “Parties”).

The Parties have been meeting and conferring concerning the orderly progression of this case in a manner that conserves party resources, judicial resources and is also appropriate under today’s COVID 19 restrictions on in person appearances. This is the first request for a deviation from the Scheduling Order.

1 The instant action is an insurance coverage and Declaratory Relief complaint, with a Counter
 2 Claim for Breach of Contract and Extra Contract damages. In the first phase of the case, the Parties
 3 agree to address the key legal issues, conserving resources for in person depositions and Expert
 4 discovery, as well as the expense to the court and the Parties of full discovery. The Parties also
 5 agree that the Summary Judgments are amenable to being heard and decided by Magistrate Carla
 6 Brown.

7 Therefore, the Parties, by and through counsel seek the Court's agreement to "phase" the
 8 case, and allow the parties to proceed first by cross motions for Summary Judgment, and then to
 9 discover and try any remaining issues following the outcome.

10 THEREFORE, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

11 1. The Parties agree to file their respective motions for Summary Judgment or Partial
 12 Summary Judgment by September 24, 2020.

13 2. The Motion(s) shall be briefed according to the normal schedule in the FRCP, and be
 14 subject to all the normal rules of this District for Motions for Summary Judgment.

15 3. The Parties Stipulate that the Motions in paragraph 1., above, may be heard by
 16 Magistrate Carla Brown.

17 4. If no motions for summary judgement are filed the date to disclose experts is now
 18 October 1, 2020 from the original date of July 31, 2020.

19 5. The Parties agree that following the delivery of an order on the Parties' motions, the
 20 Parties shall submit a new Joint Status Report pursuant to FRCP 26(f) and Local Rule 26-1-1 with
 21 new proposed dates to complete discovery.

22 Dated: July 22, 2020

WILSON ELSE MOSKOWITZ
 EDELMAN & DICKER, LLP

/s/ Chris J. Richardson

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 CHRIS J. RICHARDSON (NBN 9166)
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 IRONSHORE SPECIALTY INSURANCE
 COMPANY

1 Dated: July 22, 2020

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2 /s/ Matthew L. Sharp

3 Matthew L. Sharp, Esq.

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9 Attorney for Defendants

10 Fletcher Roofing and Siding, Inc., Jason E.

11 Mitchell and Shantel Mitchell

12 Dated: July 22, 2020

13 RANALLI, ZANIEL, FOWLER & MORAN,
14 LLC

15 /s/ David M. Zaniel

16 David M. Zaniel

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18 Reno, Nevada, 89501

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20 (775) 786-4441

21 Attorney for Defendant

22 Jose Gomez-Delgado

23 **ORDER**

24 THE COURT, having reviewed the Stipulation of Counsel, and Good Cause Appearing Therefore,
25 hereby ORDERS:

26 1. Any Motion for Summary Judgment shall be filed by the Parties no later than
27 Monday August 24, 2020 through ECF;

28 2. All normal rules of this district shall apply to the Motions, including but not limited to
format, length, required documentation.

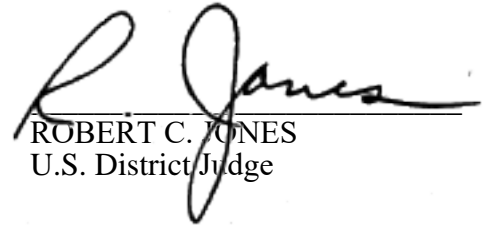
3. If the Parties proceed by way of agreed evidence and/or stipulated facts, only Plaintiff
shall file with the Court with a single copy of the joint facts and/or evidence, and that shall be
deemed the evidentiary submission by any party making a motion.

4. The Motion(s) for Summary Judgment will be heard by Magistrate Carla L Brown,
per the Stipulation of the Parties.

1 5. If no Motions for Summary Judgment are filed by August 24th, the Parties shall
2 disclose expert witnesses by September 1st, and all other dates shall remain the same as in existng
3 Joint Discovery Plain and Scheduling Order [Doc 9]. If motion(s) are filed then the Parties' Joint
4 Discovery Plain and Scheduling Order [Doc 9] is thereupon vacated.

5 5. Upon the service of an Order(s) on the Party(ies)' Motions for Summary Judgment,
6 the Parties will provide the court with a new Joint Discovery Plan and Scheduling Order that will be
7 aimed at disposing of the balance of the claims in a timely and efficient manner.

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9 Dated: July 27, 2020.

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12 ROBERT C. JONES
13 U.S. District Judge
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